

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL A. WEISS, M.D.	:	
KATHY WEISS	:	
M.W. (child), D.W., (child) and	:	Case No. 1:17-CV-01162
B.W. (child),	:	
Plaintiffs,	:	
	:	Judge Rambo
v.	:	
	:	
Surgical Anesthesia Services, LLC	:	
And Joe McDonnell,	:	
Defendants	:	

**PLAINTIFFS' MOTION TO DISMISS CASE**

AND NOW, this \_\_\_\_ day of March 2021, come the Plaintiffs, by and through their counsel, and file this Motion as follows:

1. This case was instituted by Complaint filed July 3, 2017.
2. Various pleadings were filed in the first 2 years or so that the case was pending.
3. By Order dated October 9, 2012, this Court granted the Motion to Withdraw by Defendants' former counsel and the case was put on hold to allow Defendants to obtain new counsel.
4. In the interim, while no attorney has entered an appearance on behalf of the Defendants, Plaintiffs have decided they no longer wish to pursue the case.

5. No brief will be filed relative to this Motion unless the Court issues an Order therefor.

WHEREFORE, the Plaintiff s request that Your Honor enter an Order granting this Moton, dismissing the case, and for such other relief as may be just and proper.

Respectfully submitted,

By: /s/ Sara A. Austin

Sara A. Austin, Esquire  
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York, PA 17403  
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Attorney for Plaintiffs

**CERTIFICATE OF CONCURRENCE**

The undersigned hereby certifies that she has not contacted the pro se Defendants relative to dismissal but believes that they concur in the relief requested in the foregoing Motion.

Surgical Anesthesia Services LLC  
c/o Andrew Ribaud  
3065 Argonne Drive NW  
Atlanta, GA 30305

Joe McDonnell  
1334 Bexley Pl. NW  
Kennesaw GA 30144-7001

/s/ Sara A. Austin  
Sara A. Austin, Esquire

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 23, 2021, the foregoing document was or will be served as follows:

Thomas Chairs, Esquire  
Counsel for Defendants

/s/ Sara A. Austin  
Sara A. Austin, Esquire